

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**ROBERT T. BROCKMAN**

§  
§  
§  
§  
§

**Criminal No. 4:21-cr-00009**

**DECLARATION OF KATHRYN KENEALLY**

I, Kathryn Keneally, declare as follows:

1. I am a member of the bar of the State of New York and various federal courts. On January 8, 2021, I was admitted *pro hac vice* to appear in the United States District Court for the Southern District of Texas. Dkt. No. 8. I am a partner of the law firm Jones Day and counsel for the defendant Robert T. Brockman. I make this Declaration in support of Defendant Robert T. Brockman's Reply in Support of His Motion for the Appointment of Neutral Court-Designated Experts and to Exclude Testimony from Dr. Park Dietz, Dr. Robert Denney, and Dr. Ryan Darby.

2. A hearing to determine whether Mr. Brockman is competent to assist in his defense is scheduled to begin on September 13, 2021. Mr. Brockman timely filed his expert reports on August 6, 2021. Dkt. Nos. 97–102. On Friday, August 13, 2021, the parties exchanged witness lists by email. Mr. Brockman is ready to proceed with the competency hearing.

3. Mr. Brockman was hospitalized for a urinary tract infection in mid-March 2021, and again in late May-early June 2021. He was hospitalized overnight on June 24,

2021, in connection with surgery under general anesthesia. The defense made the government aware of both bouts of sepsis and the resultant hospitalizations at the time that each occurred, and also timely informed the government that Mr. Brockman's June 24 surgery was under general anesthesia.

4. Attached hereto as Exhibit 1 is a copy of the email from me to Christopher Magnani, Corey Smith, and Lee F. Langston, copying Jason S. Varnado, James P. Loonam, and Georgina N. Druce, dated March 16, 2021.

5. Attached hereto as Exhibit 2 is a copy of the email from me to Corey Smith, Christopher Magnani, and Lee F. Langston, copying Jason S. Varnado, James P. Loonam, and Georgina N. Druce, dated May 31, 2021.

6. Attached hereto as Exhibit 3 is a copy of the email from Corey Smith to Christopher Magnani, Lee F. Langston, and me, copying James P. Loonam, Jason S. Varnado, and Georgina N. Druce, dated June 17, 2021.

7. Attached hereto as Exhibit 4 is a copy of the letter from me to Corey Smith dated August 23, 2021.

8. In the interests of avoiding a dispute over the selection of the experts, defense counsel agreed that the government could name the examining doctors who were to be designated by the Court pursuant to 18 U.S.C. §§ 4241(b) and 4247(b). The defense did not agree and would not have agreed to the appointment of experts acting on behalf of the government.

9. The defense objected to any examination of Mr. Brockman unless the medical professionals were designated by the Court to act as examiners pursuant to Sections 4241(b) and 4247(b).

10. Attached hereto as Exhibit 5 is a copy of an email from me to Corey Smith, Christopher Magnani, and Lee F. Langston, copying Jason S. Varnado, James P. Loonam, and Georgina N. Druce, dated May 3, 2021, and an email in response from Corey Smith to me, including or copying Christopher Magnani, Lee F. Langston, Jason S. Varnado, James P. Loonam, and Georgina N. Druce, dated May 3, 2021.

11. Attached hereto as Exhibit 6 is a copy of letter from me to Corey Smith dated March 16, 2021.

12. On May 5, 2021, Mr. Brockman was examined at the Houston offices of Jones Day by Dr. Ryan Darby, one of the doctors designated by this Court pursuant to the Order dated May 10, 2021. Dkt. No. 59. I was contacted by an attorney in the Jones Day Houston office, who reported that one of the prosecutors and an Internal Revenue Agent wanted to be present to observe Mr. Brockman. At my instruction, the members of the prosecution team were not allowed to be present at any location where they may have come into contact with Mr. Brockman.

13. Dr. Robert Denney, one of the doctors designated by this Court pursuant to the Order dated May 10, 2021, Dkt. No. 59, interviewed me on June 14, 2021, and interviewed Peter J. Romatowski, of counsel to Jones Day, on June 15, 2021, as collateral witnesses regarding Mr. Brockman's competency. The government proposed that an

attorney or IRS agent would be present at these interviews to take notes. The defense objected, and no representative of the government attended the interviews.

14. Attached hereto as Exhibit 7 is a copy of an email from me to Corey Smith, Christopher Magnani, and Lee F. Langston, copying Jason S. Varnado, James P. Loonam, and Georgina N. Druce, dated May 11, 2021, and an email in response from Corey Smith to me, including or copying Christopher Magnani, Lee F. Langston, Jason S. Varnado, James P. Loonam, and Georgina N. Druce, dated May 11, 2021.

15. Attached hereto as Exhibit 8 is a copy of an email from James P. Loonam to Christopher Magnani, including or copying Corey Smith, Lee F. Langston, Peter J. Romatowski, Jason S. Varnado, Georgina N. Druce, Conor G. Maloney, and me, dated June 10, 2021.

16. Attached hereto as Exhibit 9 is a copy of an email chain that includes email exchanges between Dr. Darby and me dated March 9, 2021 through March 11, 2021. These emails also variously are directed to or copy Corey Smith, Lee F. Langston, Christopher Magnani, Jason S. Varnado, James P. Loonam, and Evan W. Garrett.

17. Attached hereto as Exhibit 10 is a copy of Mr. Brockman's PET scan report from August 24, 2021.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in New York, New York on August 27, 2021.

/s/ Kathryn Keneally  
Kathryn Keneally

# **EXHIBIT 1**


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**From:** Keneally, Kathy  
**Sent:** Tuesday, March 16, 2021 11:46 AM  
**To:** Magnani, Christopher (TAX); Smith, Corey (TAX); Langston, Lee F. (TAX)  
**Cc:** Varnado, Jason S.; Loonam, James P.; Druce, Georgina N.  
**Subject:** RE: US v. Brockman: new medical issue

All,

My understanding at this point is that Mr. Brockman had a urinary tract infection and has been diagnosed with sepsis. The prognosis at this point is positive, but it appears that he will be hospitalized at least through Friday.

Best,  
Kathy

Kathryn Keneally  
Partner  
**JONES DAY® - One Firm Worldwide<sup>SM</sup>**  
250 Vesey Street  
New York, NY 10281-1047  
Office: +1-212-326-3402  
  
[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)

---

**From:** Magnani, Christopher (TAX) <Christopher.Magnani@usdoj.gov>  
**Sent:** Tuesday, March 16, 2021 10:58 AM  
**To:** Keneally, Kathy <kkeneally@jonesday.com>; Smith, Corey (TAX) <corey.smith@usdoj.gov>; Langston, Lee F. (TAX) <Lee.F.Langston@usdoj.gov>  
**Cc:** Varnado, Jason S. <jvarnado@jonesday.com>; Loonam, James P. <jloonam@jonesday.com>; Druce, Georgina N. <gdruce@JonesDay.com>  
**Subject:** RE: US v. Brockman: new medical issue

**\*\* External mail \*\***

We're sorry to hear it, Kathy, and hope Mr. Brockman gets better soon.

I will cancel tomorrow's appointment and await further information from you.

Best,

Chris

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**From:** Keneally, Kathy <[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)>  
**Sent:** Tuesday, March 16, 2021 10:50 AM  
**To:** Smith, Corey (TAX) <[Corey.Smith@tax.USDOJ.gov](mailto:Corey.Smith@tax.USDOJ.gov)>; Langston, Lee F. (TAX) <[Lee.F.Langston@tax.USDOJ.gov](mailto:Lee.F.Langston@tax.USDOJ.gov)>;

Magnani, Christopher (TAX) <[Christopher.Magnani@tax.USDOJ.gov](mailto:Christopher.Magnani@tax.USDOJ.gov)>

Cc: Varnado, Jason S. <[jvarnado@jonesday.com](mailto:jvarnado@jonesday.com)>; Loonam, James P. <[jloonam@jonesday.com](mailto:jloonam@jonesday.com)>; Druce, Georgina N. <[gdruce@JonesDay.com](mailto:gdruce@JonesDay.com)>

**Subject:** RE: US v. Brockman: new medical issue

All,

I have only limited information concerning Mr. Brockman's medical condition. I understand that he remains in the hospital and is being treated for an infection. I do not have any information as to how long it is anticipated that he will be hospitalized, or the nature of the infection. It is clear, however, that he will not be able to participate in a sleep lab tomorrow evening.

Again, I will update everyone as I get further information.

Best,  
Kathy

Kathryn Keneally

Partner

**JONES DAY® - One Firm Worldwide<sup>SM</sup>**

250 Vesey Street

New York, NY 10281-1047

Office: +1-212-326-3402

[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)

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**From:** Keneally, Kathy

**Sent:** Monday, March 15, 2021 12:18 PM

**To:** 'Smith, Corey (TAX)' <[corey.smith@usdoj.gov](mailto:corey.smith@usdoj.gov)>; Langston, Lee F. (TAX) <[Lee.F.Langston@usdoj.gov](mailto:Lee.F.Langston@usdoj.gov)>; Magnani, Christopher (TAX) <[Christopher.Magnani@usdoj.gov](mailto:Christopher.Magnani@usdoj.gov)>

**Cc:** Varnado, Jason S. <[jvarnado@jonesday.com](mailto:jvarnado@jonesday.com)>; Loonam, James P. <[jloonam@jonesday.com](mailto:jloonam@jonesday.com)>; Druce, Georgina N. <[gdruce@jonesday.com](mailto:gdruce@jonesday.com)>

**Subject:** US v. Brockman: new medical issue

Corey, Lee, Chris,

I understand that Mr. Brockman had a medical emergency and has been admitted to the hospital. I will update you as I have further information.

Kathy

Kathryn Keneally

Partner

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# **EXHIBIT 2**


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**From:** Keneally, Kathy  
**Sent:** Monday, May 31, 2021 6:38 PM  
**To:** Smith, Corey (TAX); Magnani, Christopher (TAX); Langston, Lee F. (TAX)  
**Cc:** Varnado, Jason S.; Loonam, James P.; Druce, Georgina N.  
**Subject:** US v. Brockman: confidential medical update

All,

I understand that Mr. Brockman is hospitalized due to an infection. I do not have any further information at this point.

Kathy

Kathryn Keneally  
Partner  
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Office: +1-212-326-3402  
  
[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)

# **EXHIBIT 3**

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**From:** Smith, Corey (TAX) <corey.smith@usdoj.gov>  
**Sent:** Thursday, June 17, 2021 10:20 AM  
**To:** Keneally, Kathy; Magnani, Christopher (TAX); Langston, Lee F. (TAX)  
**Cc:** Loonam, James P.; Varnado, Jason S.; Druce, Georgina N.  
**Subject:** RE: US v. Brockman: update on medical issues

**\*\* External mail \*\***

Kathy

Thank you for the update. We will be in touch regarding your offer to discuss these developments.

Corey J. Smith  
Senior Litigation Counsel  
Tax Division  
(202) 514-5230

---

**From:** Keneally, Kathy <kkeneally@jonesday.com>  
**Sent:** Thursday, June 17, 2021 10:17 AM  
**To:** Smith, Corey (TAX) <Corey.Smith@tax.USDOJ.gov>; Magnani, Christopher (TAX) <Christopher.Magnani@tax.USDOJ.gov>; Langston, Lee F. (TAX) <Lee.F.Langston@tax.USDOJ.gov>  
**Cc:** Loonam, James P. <jloonam@jonesday.com>; Varnado, Jason S. <jvarnado@jonesday.com>; Druce, Georgina N. <gdruce@JonesDay.com>  
**Subject:** US v. Brockman: update on medical issues

All,

We want to provide you with a further update as to Mr. Brockman's medical condition. As we have previously reported, Mr. Brockman was hospitalized on May 31, and was released on June 11. We understand that he was treated for urosepsis. We further understand that he experienced bouts of delirium during his hospitalization, and that this continues to be an issue. We understand that he either has or will begin a psychotropic drug regime, in addition to the continued antibiotic treatment. He is also scheduled to undergo a medical procedure on June 24 in connection with a UroLift, which will include anesthesia.

Please let us know if you want to discuss any aspect of this.

Best,  
Kathy

Kathryn Keneally  
Partner  
[\*\*JONES DAY® - One Firm Worldwide<sup>SM</sup>\*\*](#)  
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# **EXHIBIT 4**

## JONES DAY

250 VESEY STREET • NEW YORK, NEW YORK 10281.1047  
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DIRECT NUMBER: (212) 326-3402  
KKENEALLY@JONESDAY.COM

August 23, 2021

### VIA EMAIL

Corey Smith  
Senior Litigation Counsel  
Tax Division, U.S. Department of Justice  
Western Criminal Enforcement Section  
PO Box 972  
Washington, DC 20044

Re: *United States v. Robert T. Brockman*, No. 4:21-cr-009-GCH

Dear Mr. Smith:

I write in response to your letter of August 12 and to summarize our meet and confer this past Friday morning.

As we discussed, we are in the process of having the FDG-PET Scan and the EEG that you requested scheduled at Houston Methodist Hospital, and will now proceed in accordance with the description from Dr. Darby that you forwarded following our call. During our meet and confer, we proposed proceeding, as we have done previously, by obtaining a HIPAA request from you so that your team may receive documents directly from Houston Methodist as soon as we do, and we provided you a link to the form used by Houston Methodist. As we offered, upon receipt, we will ask Mrs. Brockman to sign the form pursuant to her medical power of attorney, and have it submitted on your behalf.

During our call, we also reiterated our outstanding request for production of records relating to the sleep study performed on August 12. We subsequently received a copy of the August 16 titration report. We understand that you have committed to providing us with the balance of these records promptly.

Your letter requests medical records for “any treatment or consultation with any medical professional for any cognitive issue or complaint since March 2021.” As we noted during our call, we received records from Dr. Pool late last week, which were produced to you this morning. As you confirmed, you have obtained the medical records concerning Mr. Brockman’s March and May-June hospitalizations directly from Houston Methodist. We have obtained and

Corey J. Smith  
August 23, 2021  
Page 2

provided you with records from Baylor Medical Center concerning the June 24 surgery, as well related medical records concerning examination and treatment by Dr. Smith and Dr. Pool. We have requested records from Baylor concerning any examination and treatment by Dr. Lerner, which we will also forward to you upon receipt. We are unaware of any other responsive medical records. For completeness, we note that Mr. Brockman has recently begun occupational and physical therapy, and as you know he is attended to by home health care providers, but we do not understand any records concerning these activities to fall within your request.

Your letter listed 20 items that you described as “evidence cited, or referenced, in Dr. Agronin and Dr. Guilmette’s reports which we do not have.” During our call, you noted that that in fact the requests fall into a small number of categories. To address each in turn:

1. **Test Results (Items 1-3).** As we stated on Friday, Item 1 is from the records of the July 30, 2021 MRI and was produced to you on August 13, 2021. Our experts inform us that Items 2 and 3 do not exist.

2. **Expert Notes (Items 4-16; 18-19).** Following Friday's call, we received an email from Lee Langston, proposing that the government produce the interview notes for the interviews of Dorothy Brockman, Kathryn Keneally, and Peter Romatowski, and that the defense produce the interview notes for the interviews of Dorothy Brockman, Kathryn Keneally, Peter Romatowski, Stephen Slade, Tommy Barras, Donna Ball, Robin Gilliland, and Rev. Jim Jackson. We agree to this exchange. We also confirm that no recordings were made of these interviews. We note specifically, however, that we do not agree to withdraw any other requests for the notes and communications of Dr. Darby, Dr. Dietz, and Dr. Denney that are currently the subject of the pending motion to compel. We further note that we request notes of all communications among Drs. Darby, Dietz and Denney.

3. **Emails Relied Upon By Experts (Item 17).** As we stated on Friday, the emails relied on by our experts were those from Bart Chandler that the government produced to us on June 29, 2021.

4. **Dr. Yudofsky Medical Records and Emails (Item 20).** The only items that relate to Dr. Yudofsky listed in the sources of information in our experts' reports are: (1) the May 3-4, 2017 email exchange between Mr. Brockman and Dr. Yudofsky, which was provided to you as part of our April 9, 2020 submission (Exhibit P); and (2) Dr. Yudofsky’s consultation notes between October 20, 2018, and October 23, 2020, which were produced to you on August 7, 2021. During Friday's call, you acknowledged that this item in your letter is intended as a new request for emails between Mr. Brockman and Dr. Yudofsky concerning Mr. Brockman’s medical issues. We responded that we would consider this request.



JONES DAY

Corey J. Smith  
August 23, 2021  
Page 3

I also note that we agreed with you to set up a call this week to address additional issues, which has now been scheduled for tomorrow morning.

Sincerely,

*/s/ Kathryn Keneally*

Kathryn Keneally

# **EXHIBIT 5**

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**From:** Smith, Corey (TAX) <corey.smith@usdoj.gov>  
**Sent:** Monday, May 3, 2021 10:32 AM  
**To:** Keneally, Kathy; Langston, Lee F. (TAX); Magnani, Christopher (TAX)  
**Cc:** Varnado, Jason S.; Loonam, James P.; Druce, Georgina N.  
**Subject:** Re: US v. Brockman / protective order

**\*\* External mail \*\***

Kathy

Agreed. As long as we have mutual agreement on the terms of the proposed protective order, I believe we should proceed

Corey

---

**From:** Keneally, Kathy <kkeneally@jonesday.com>  
**Date:** May 3, 2021 at 10:16:14 AM EDT  
**To:** Smith, Corey (TAX) <Corey.Smith@tax.USDOJ.gov>, Langston, Lee F. (TAX) <Lee.F.Langston@tax.USDOJ.gov>, Magnani, Christopher (TAX) <Christopher.Magnani@tax.USDOJ.gov>  
**Cc:** Varnado, Jason S. <jvarnado@jonesday.com>, Loonam, James P. <jloonam@jonesday.com>, Druce, Georgina N. <gdruce@JonesDay.com>  
**Subject:** US v. Brockman / protective order


Corey and team,

Given that the Court has moved our conference to next week, it appears that the unopposed protective order may not be entered before Dr. Darby's scheduled interview of Mr. Brockman on Wednesday this week.

To avoid delay, please confirm that the government will adhere to the provisions in the unopposed protective order (attached). We will, of course, do the same.

Thank you.

Best regards,  
Kathy

Kathryn Keneally  
Partner  
[JONES DAY® - One Firm Worldwide<sup>SM</sup>](http://www.jonesday.com)  
250 Vesey Street  
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[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)

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# **EXHIBIT 6**

## JONES DAY

250 VESEY STREET • NEW YORK, NEW YORK 10281.1047  
TELEPHONE: +1.212.326.3939 • FACSIMILE: +1.212.755.7306

DIRECT NUMBER: (212) 326-3402  
KKENEALLY@JONESDAY.COM

JP024222:smm

March 16, 2021

Via email to [Corey.Smith@USDOJ.gov](mailto:Corey.Smith@USDOJ.gov)

Corey J. Smith  
Senior Litigation Counsel  
Tax Division  
U.S. Department of Justice  
150 M Street N.E. Room 2.208  
Washington DC 20004

Re: *United States v. Brockman*, Criminal No. 4:21-cr-009 (GCH)

Dear Mr. Smith:

During our recent meet-and confer calls, we have made a number of requests for prompt disclosure by the government of discovery materials relevant to the issue of whether Mr. Brockman is competent to assist in his defense, pursuant to the Federal Rules of Criminal Procedure, *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405 U.S. 150 (1972), and the Jencks Act, 18 U.S.C. § 3500.

We write now to confirm those requests, and to note additional items:

1. Copies of all subpoenas and materials received in response.
2. All medical reports, test results, interview memoranda and other evidence obtained or prepared by the government or its medical experts with regard to Mr. Brockman's health and competency.
3. All records of communications between the government and any of its medical experts, including emails and notes of verbal conversations.
4. All documents or statements, including all notes and interview memoranda, and all grand jury testimony, relating to Mr. Brockman's health or competency, regardless of when or how obtained by the government.
5. All engagements or contracts between the government and any of its medical experts.

JONES DAY

Corey Smith  
March 16, 2021  
Page 2

6. All articles within the government's possession, custody or control, published by the government's medical experts.
7. All transcripts in the government's possession, custody or control, of testimony in any proceedings by the government's medical experts.
8. All court rulings or opinions in the government's possession, custody or control that contain adverse conclusions concerning the qualifications, credibility, or any other issue with regard to the government's medical experts.
9. A copy of Barber, C., Denney, R. L., Duncan, S., & Landis, R. (1996), *How to Conduct a Thorough and Professional Forensic Evaluation: Training Manual of the Federal Bureau of Prisons*.
10. All performance evaluations in connection with Dr. Robert L. Denney's employment with the U.S. Medical Center for Federal Prisoners in Springfield, Missouri.
11. Any adverse and disciplinary actions, complaints, referrals or adverse credibility findings made in connection with Dr. Robert L. Denney's employment with the U.S. Medical Center for Federal Prisoners in Springfield, Missouri.

We thank you for your prompt attention.

Very truly yours,

  
Kathryn Keneally

# **EXHIBIT 7**



---

**From:** Smith, Corey (TAX) <corey.smith@usdoj.gov>  
**Sent:** Tuesday, May 11, 2021 4:02 PM  
**To:** Keneally, Kathy; Langston, Lee F. (TAX); Magnani, Christopher (TAX)  
**Cc:** Varnado, Jason S.; Loonam, James P.; Druce, Georgina N.  
**Subject:** RE: US v. Brockman: follow up on various open issues

**\*\* External mail \*\***

Kathy et al

In answer to your questions:

- 1) No government attorneys plan to attend the exam/interview next week. Special Agent Evan Garrett will be available to assist the govt's experts in set up of the equipment etc, only. He will not remain during the exam/interviews. We will have a place for the caregiver to set up outside the exam/interview room. Arrangements are being made, and should be final soon;
- 2) We are preparing another discovery production using our usual electronic means, this production will include the test data we received from Dr. York;
- 3) New subpoenas have been prepared and are being served with the new hearing date of Sept 13, 2021;

Please let us know if you have any further questions or comments.

Corey J. Smith  
Senior Litigation Counsel  
Tax Division  
(202) 514-5230

---

**From:** Keneally, Kathy <kkeneally@jonesday.com>  
**Sent:** Tuesday, May 11, 2021 2:22 PM  
**To:** Smith, Corey (TAX) <Corey.Smith@tax.USDOJ.gov>; Langston, Lee F. (TAX) <Lee.F.Langston@tax.USDOJ.gov>; Magnani, Christopher (TAX) <Christopher.Magnani@tax.USDOJ.gov>  
**Cc:** Varnado, Jason S. <jvarnado@jonesday.com>; Loonam, James P. <jloonam@jonesday.com>; Druce, Georgina N. <gdruce@JonesDay.com>  
**Subject:** RE: US v. Brockman: follow up on various open issues

Corey,

To follow up on the open issues in the below exchange:

Item 1: Arrangements for examinations by Dr. Dietz and Dr. Denney: Please confirm that the proposed arrangements will include accommodations for Mr. Brockman's caregiver. Also please confirm that no government attorneys or agents will be present at the location during the examinations. A member of the defense team will need to be available at the outset to ensure that the videographers are in place on the first

day. Again, if it is your intention to have any attorneys or agents at the location, then we will want an accommodation made for someone from our team to remain on site while they are present.

1. Item 2: Documents obtained pursuant to subpoenas: Yes, we want production of the documents that you received from Dr. York, along with production of all materials received in response to subpoenas.
2. Item 3: Outstanding subpoenas: Please confirm that subpoenas have by now been reissued with the correct date, or that responding parties have by now been notified of the current hearing date.

Items 4 and 5: We intended to be asking for the materials that the prosecution team receives in connection with the Kepke email search warrant. That issue appears to be resolved by the proposed protective order that you circulated earlier today.

Item 6: We appreciate your continued efforts to press the filter team on this issue, and we will continue to do the same. We note that it remains the obligation of the prosecution team to meet discovery obligations.

Best regards,

Kathy

3.

---

**From:** Smith, Corey (TAX) <[corey.smith@usdoj.gov](mailto:corey.smith@usdoj.gov)>

**Sent:** Wednesday, May 5, 2021 6:16 PM

**To:** Keneally, Kathy <[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)>; Langston, Lee F. (TAX) <[Lee.F.Langston@usdoj.gov](mailto:Lee.F.Langston@usdoj.gov)>; Magnani, Christopher (TAX) <[Christopher.Magnani@usdoj.gov](mailto:Christopher.Magnani@usdoj.gov)>

**Cc:** Varnado, Jason S. <[jvarnado@jonesday.com](mailto:jvarnado@jonesday.com)>; Loonam, James P. <[jloonam@jonesday.com](mailto:jloonam@jonesday.com)>; Druce, Georgina N. <[gdruce@JonesDay.com](mailto:gdruce@JonesDay.com)>

**Subject:** RE: US v. Brockman

**\*\* External mail \*\***

Kathy

I understand that the Dr. Darby examination of Mr. Brockman went smoothly. In answer to your questions, please see below:

- 1) Drs Denny and Dietz are making arrangements at a hotel in Houston, which the government will pay for. As soon as we have these details we will forward them to you;
- 2) We are producing documents to defense counsel as we receive them. We have received Dr. York's test data and it is being uploaded to our vendor. It is our understanding, however, that you already have a copy of this data. Do you wish another copy?

- 3) We are preparing to re-issue hearing subpoenas to all witnesses that have not yet responded to our initial subpoenas and sending emails to witnesses that have already responded to inform them of the hearing date;
- 4) We are in receipt of the SM R&R and Judge Demarchi rulings. We note your objection to providing these documents to Judge Hanks, but in accordance with Judge Demarchi's ruling we plan on providing Judge Hanks with copies of the same. This evening we filed a Motion for Protective Order (under seal) as a prelude to production of the ISP SW emails we should be receiving in a few weeks. When we receive these emails, after Judge Hanks rules on our motion, we will provide them to you;
- 5) We are not aware of what "additional" documents you are referring to, but we have attached all the pleadings from MJ Demarchi's ruling and the Special Master's R&R to our Sealed Motion filed today, of which you should now have a copy; and
- 6) We passed your request for metadata on to the filter team. It is our understanding that there is a technical issue that is making the retrieval of the meta data difficult, but that they are working on it.

Corey J. Smith  
Senior Litigation Counsel  
Tax Division  
(202) 514-5230

---

**From:** Keneally, Kathy <[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)>

**Sent:** Wednesday, May 5, 2021 4:51 PM

**To:** Smith, Corey (TAX) <[Corey.Smith@tax.USDOJ.gov](mailto:Corey.Smith@tax.USDOJ.gov)>; Langston, Lee F. (TAX) <[Lee.F.Langston@tax.USDOJ.gov](mailto:Lee.F.Langston@tax.USDOJ.gov)>; Magnani, Christopher (TAX) <[Christopher.Magnani@tax.USDOJ.gov](mailto:Christopher.Magnani@tax.USDOJ.gov)>

**Cc:** Varnado, Jason S. <[jvarnado@jonesday.com](mailto:jvarnado@jonesday.com)>; Loonam, James P. <[jloonam@jonesday.com](mailto:jloonam@jonesday.com)>; Druce, Georgina N. <[gdruce@JonesDay.com](mailto:gdruce@JonesDay.com)>

**Subject:** US v. Brockman

Team,

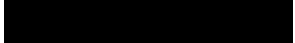
We have a few open issues that I hope can be easily resolved.

1. Have you decided on times and a location for the examinations by Dr. Dietz and Dr. Denney? We will want to ensure that the videographers are in place on the first day. Also we will need to make sure that accommodations are made for Mr. Brockman's caregiver, as well as for him to be driven to the examinations and picked up at the end of each day. We understand that only Mr. Brockman and the doctors will be present during the examination. But if it is your intention to have any attorneys or agents at the location, then we will want an accommodation made for someone from our team to remain on site as well.
2. Please make sure to send us materials that you receive in response to pending subpoenas. As an example, we understand that you should have received documents from Dr. York by now.
3. Please confirm that you will reissue all subpoenas with the new hearing date.

4. As we previously discussed, Judge DiMarchi in NDCA granted the filter team's motion to disclose the special master's report to Judge Hanks, apparently based on ex parte submissions. We object to any such disclosure. When we first raised this issue with you, you referred us to the filter team. The filter team responded that the prosecution team would follow up with us on this issue. Please confirm that you do not intend to present the special master's report to Judge Hanks.
5. It also appears that additional documents may be produced to the prosecution team in connection with the ISP search. Please confirm that we have / will receive copies of these documents as you receive them.
6. The filter team produced documents without metadata. We have been asking them to address this issue since mid-March, but want to make sure that we have also brought it to your attention.

Thank you.

Kathy

Kathryn Keneally  
Partner  
**JONES DAY® - One Firm Worldwide<sup>SM</sup>**  
250 Vesey Street  
New York, NY 10281-1047  
Office: +1-212-326-3402  
  
[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)

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\*\*\*This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.\*\*\*

# **EXHIBIT 8**

---

**From:** Loonam, James P.  
**Sent:** Thursday, June 10, 2021 10:02 PM  
**To:** Magnani, Christopher (TAX); Keneally, Kathy; Romatowski, Peter J.; Varnado, Jason S.; Druce, Georgina N.  
**Cc:** Maloney, Conor G.; Smith, Corey (TAX); Langston, Lee F. (TAX)  
**Subject:** RE: Collateral Interviews

Chris, Thanks. We can confirm Kathy Keneally will meet with Dr. Denney on Monday, 6/14, at 2 pm. Pete Romatowski will meet with Dr. Denney on Tuesday, 6/15, also at 2 pm. The meetings will take place at Jones Day's New York office, 250 Vesey Street. Dr. Denney should proceed to the 34th Floor. Our responses to your questions are as follows:

1. Jason Varnado has worked with Mr. Brockman and has had an opportunity to observe him recently.
2. We do not consent to audio recording the interviews.
3. We do not consent to a government agent attending the interviews.

Kind regards,  
James

James P. Loonam  
Partner  
[JONES DAY® - One Firm Worldwide<sup>SM</sup>](#)  
250 Vesey Street  
New York, New York 10281-1047  
Office: +1.212.326.3808  
[REDACTED]  
Fax: +1.212.755.7306

---

**From:** Magnani, Christopher (TAX) <Christopher.Magnani@usdoj.gov>  
**Sent:** Thursday, June 10, 2021 2:37 PM  
**To:** Keneally, Kathy <kkeneally@jonesday.com>; Romatowski, Peter J. <pjromatowski@JonesDay.com>; Varnado, Jason S. <jvarnado@jonesday.com>; Druce, Georgina N. <gdruce@JonesDay.com>  
**Cc:** Loonam, James P. <jloonam@jonesday.com>; Maloney, Conor G. <cmaloney@jonesday.com>; Smith, Corey (TAX) <corey.smith@usdoj.gov>; Langston, Lee F. (TAX) <Lee.F.Langston@usdoj.gov>  
**Subject:** RE: Collateral Interviews

**\*\* External mail \*\***

Kathy,

Doctor Denney is available during the times you've indicated. He estimates that the interviews will take less than an hour each. Can you please get back to me about the following (preferably today, as I will be out of the office tomorrow):

1. Are you and Pete the attorneys who have worked most closely with Mr. Brockman (recently and in person)? We are relying on you all to identify the most appropriate witnesses who have had the greatest opportunity to observe your client. I am sure it goes without saying, but it obviously would not be helpful if

Dr. Denney learned only after flying to New York that Jason has been the primary client contact for the last year, for example.

2. Dr. Denney's would like to audio record the meeting. Is that okay?
3. If not, may the government send an attorney or agent to accompany the interviewing doctor and take notes?

Thanks in advance,

Chris

---

**From:** Magnani, Christopher (TAX)

**Sent:** Wednesday, June 9, 2021 5:05 PM

**To:** Keneally, Kathy <[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)>; Romatowski, Peter J. <[pjromatowski@JonesDay.com](mailto:pjromatowski@JonesDay.com)>; Varnado, Jason S. <[jvarnado@jonesday.com](mailto:jvarnado@jonesday.com)>; Druce, Georgina N. <[gdruce@JonesDay.com](mailto:gdruce@JonesDay.com)>

**Cc:** Loonam, James P. <[jloonam@jonesday.com](mailto:jloonam@jonesday.com)>; Maloney, Conor G. <[cmaloney@jonesday.com](mailto:cmaloney@jonesday.com)>; Smith, Corey (TAX) <[Corey.Smith@tax.USDOJ.gov](mailto:Corey.Smith@tax.USDOJ.gov)>; Langston, Lee F. (TAX) <[Lee.F.Langston@tax.USDOJ.gov](mailto:Lee.F.Langston@tax.USDOJ.gov)>

**Subject:** RE: Collateral Interviews

Thank you for getting back to us so quickly. I will check with the doctors and see if those proposed dates work.

I assumed that you and Peter likely had the most client contact (based on the TP conference and declarations), but I should ask to be sure: is that the case?

I'm not sure who will be available for the interviews but I do know that Dr. Dietz's preference is to audio record collateral interviews. Is that definitely off the table? If so, my inclination is that we might want to send someone as well. Any objection to that?

Also, in the interest of moving this along, let me know if you think it would be productive to have a short call. I'm available any time.

Best,

Chris

---

**From:** Keneally, Kathy <[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)>

**Sent:** Wednesday, June 9, 2021 4:49 PM

**To:** Magnani, Christopher (TAX) <[Christopher.Magnani@tax.USDOJ.gov](mailto:Christopher.Magnani@tax.USDOJ.gov)>; Romatowski, Peter J. <[pjromatowski@JonesDay.com](mailto:pjromatowski@JonesDay.com)>; Varnado, Jason S. <[jvarnado@jonesday.com](mailto:jvarnado@jonesday.com)>; Druce, Georgina N. <[gdruce@JonesDay.com](mailto:gdruce@JonesDay.com)>

**Cc:** Loonam, James P. <[jloonam@jonesday.com](mailto:jloonam@jonesday.com)>; Maloney, Conor G. <[cmaloney@jonesday.com](mailto:cmaloney@jonesday.com)>; Smith, Corey (TAX) <[Corey.Smith@tax.USDOJ.gov](mailto:Corey.Smith@tax.USDOJ.gov)>; Langston, Lee F. (TAX) <[Lee.F.Langston@tax.USDOJ.gov](mailto:Lee.F.Langston@tax.USDOJ.gov)>

**Subject:** RE: Collateral Interviews

Chris,

I can be available to speak with the doctors on Monday, 6/14, starting at 2 pm or later, and Pete Romatowski can be available on Tuesday, 6/15, also in the afternoon. Given the potential privilege issues, we plan to have one or more other members of the defense team attend each of the interviews. We can be available in person in New York, or we will make arrangements for a video conference. Please let us know how much time the doctors will need, and we will try to accommodate accordingly. Please also confirm that the interviews will not be recorded or transcribed.

Kathy

---

**From:** Magnani, Christopher (TAX) <[Christopher.Magnani@usdoj.gov](mailto:Christopher.Magnani@usdoj.gov)>

**Sent:** Tuesday, June 8, 2021 3:29 PM

**To:** Keneally, Kathy <[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)>; Romatowski, Peter J. <[pjromatowski@JonesDay.com](mailto:pjromatowski@JonesDay.com)>; Varnado, Jason S. <[jvarnado@jonesday.com](mailto:jvarnado@jonesday.com)>; Druce, Georgina N. <[gdruce@JonesDay.com](mailto:gdruce@JonesDay.com)>

**Cc:** Loonam, James P. <[jloonam@jonesday.com](mailto:jloonam@jonesday.com)>; Maloney, Conor G. <[cmaloney@jonesday.com](mailto:cmaloney@jonesday.com)>; Smith, Corey (TAX) <[corey.smith@usdoj.gov](mailto:corey.smith@usdoj.gov)>; Langston, Lee F. (TAX) <[Lee.F.Langston@usdoj.gov](mailto:Lee.F.Langston@usdoj.gov)>

**Subject:** Collateral Interviews

**\*\* External mail \*\***

Dear Kathy, Peter, et al.,

The doctors would like to conduct what we've previously described as "collateral interviews," i.e. interviews of people whose observations of Mr. Brockman are relevant to his ability to assist in his defense. Their highest priority is to interview the attorneys he has worked with during the course of your representation. Will Mr. Brockman consent to any of his defense attorneys being interviewed by one of the designated experts?

Please let us know.

Thank you,

Chris

**Christopher Magnani**

Trial Attorney

U.S. Department of Justice, Tax Division

Western Criminal Enforcement Section

Office: (202) 307-6408

[REDACTED]

Email: [christopher.magnani@usdoj.gov](mailto:christopher.magnani@usdoj.gov)

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# **EXHIBIT 9**

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**From:** Ryan Darby <darby.ryan@gmail.com>  
**Sent:** Thursday, March 11, 2021 3:42 PM  
**To:** Keneally, Kathy  
**Cc:** Magnani, Christopher (TAX); Varnado, Jason S.; Loonam, James P.; Smith, Corey (TAX); Langston, Lee F. (TAX)  
**Subject:** Re: US v. Brockman

**\*\* External mail \*\***

I would recommend contacting the sites performing each study for questions regarding medications and timing of meals.

Best,

Ryan Darby

Sent from my iPhone

On Mar 11, 2021, at 11:51 AM, Keneally, Kathy <kkeneally@jonesday.com> wrote:

Dear Dr. Darby and All,

Please let me know if there may be any issues in connection with the proposed tests and Mr. Brockman's medications. In particular I understand that he takes trazodone nightly for sleep. Also, given the hours that he will be in the sleep lab, should he make any arrangements to eat before, or are there any other protocols that we should know? Thank you.

Best,  
Kathy

Kathryn Keneally  
Partner  
**JONES DAY® - One Firm Worldwide<sup>SM</sup>**  
250 Vesey Street  
New York, NY 10281-1047  
Office: +1-212-326-3402  
  
[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)

**From:** Ryan Darby <darby.ryan@gmail.com>  
**Sent:** Wednesday, March 10, 2021 1:52 PM  
**To:** Keneally, Kathy <kkeneally@jonesday.com>  
**Cc:** Magnani, Christopher (TAX) <Christopher.Magnani@usdoj.gov>; Varnado, Jason S. <jvarnado@jonesday.com>; Loonam, James P. <jloonam@jonesday.com>; Smith, Corey (TAX) <corey.smith@usdoj.gov>; Langston, Lee F. (TAX) <Lee.F.Langston@usdoj.gov>  
**Subject:** Re: US v. Brockman

Dear Kathy,

I provided the referrals with your cell as the contact. Each Hospital should call to confirm the details of the appointment. Below is the information I have currently.

1. PET scan, 3/12/2021, 10 AM, Houston Methodist  
Check-in at 9:30 AM at Houston Methodist outpatient center. Address 6445 Main street. Wife can accompany him to the waiting room and staff will supervise him to and from the actual scan. The PET scan department number is 713-441-2282.

2. Sleep Study 3/17/2021, 7 PM, Texas Medical Center  
Check-in at 7 PM, check-out is at 6 AM. Wife can accompany him to check-in and check-out. Address is Memorial Hermann Hospital Texas Medical Center. 6411 FANNIN. HOUSTON. TX 77030. The sleep lab contact number is 713-704-2337.

Best,

Ryan Darby

On Mar 10, 2021, at 9:29 AM, Keneally, Kathy <[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)> wrote:

Also it would be helpful to know the protocols at both hospitals for someone to accompany Mr. Brockman.

Kathryn Keneally  
Partner  
**JONES DAY® - One Firm Worldwide<sup>SM</sup>**  
250 Vesey Street  
New York, NY 10281-1047  
Office: +1-212-326-3402  
  
[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)

---

**From:** Keneally, Kathy  
**Sent:** Wednesday, March 10, 2021 7:37 AM  
**To:** 'Ryan Darby' <[darby.ryan@gmail.com](mailto:darby.ryan@gmail.com)>; Magnani, Christopher (TAX) <[Christopher.Magnani@usdoj.gov](mailto:Christopher.Magnani@usdoj.gov)>  
**Cc:** Varnado, Jason S. <[jvarnado@jonesday.com](mailto:jvarnado@jonesday.com)>; Loonam, James P.

<[jloonam@jonesday.com](mailto:jloonam@jonesday.com)>; Smith, Corey (TAX) <[corey.smith@usdoj.gov](mailto:corey.smith@usdoj.gov)>; Langston, Lee F. (TAX) <[Lee.F.Langston@usdoj.gov](mailto:Lee.F.Langston@usdoj.gov)>

**Subject:** RE: US v. Brockman

Dr. Darby and Counsel,

Thank you for the follow up. I still think that the most practical telephone number is my cell, as I am in the best position to coordinate with the family. I can let them know to ensure that Mr. Brockman uses that number when he checks in. At this point, it would be most helpful to pin down dates and times, so that I can get them started on all this, especially for any test that is to happen this week.

Best,

Kathy

Kathryn Keneally

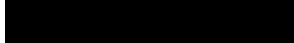
Partner

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250 Vesey Street

New York, NY 10281-1047

Office: +1-212-326-3402



[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)

---

**From:** Ryan Darby <[darby.ryan@gmail.com](mailto:darby.ryan@gmail.com)>

**Sent:** Tuesday, March 9, 2021 5:19 PM

**To:** Magnani, Christopher (TAX) <[Christopher.Magnani@usdoj.gov](mailto:Christopher.Magnani@usdoj.gov)>

**Cc:** Keneally, Kathy <[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)>; Varnado, Jason S.

<[jvarnado@jonesday.com](mailto:jvarnado@jonesday.com)>; Loonam, James P. <[jloonam@jonesday.com](mailto:jloonam@jonesday.com)>; Smith, Corey

(TAX) <[corey.smith@usdoj.gov](mailto:corey.smith@usdoj.gov)>; Langston, Lee F. (TAX) <[Lee.F.Langston@usdoj.gov](mailto:Lee.F.Langston@usdoj.gov)>

**Subject:** Re: US v. Brockman

**\*\* External mail \*\***

Chris and Kathy,

Yes, that is correct.

The phone is for standard hospital practice to 1.) coordinate visit / contact patient, and 2.) confirm it is the right patient when checking in ( dob, address, phone matched to patient name in their system).

The PET scan could be scheduled this week at Houston Methodist whereas the sleep study for next week could only be scheduled at Texas Medical.

Best,

Ryan Darby

On Mar 9, 2021, at 4:01 PM, Magnani, Christopher (TAX)

<[Christopher.Magnani@usdoj.gov](mailto:Christopher.Magnani@usdoj.gov)> wrote:

I'll count on Dr Darby to correct me on this if I'm wrong but my understanding based on his email is, yes, the phone number is for the purpose of coordinating the visit. It also seems to me that the PET scan can be done this week at Houston Methodist but the sleep study will be next week at Texas Medical.

---

**From:** Keneally, Kathy <[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)>

**Date:** March 9, 2021 at 4:11:45 PM EST

**To:** Magnani, Christopher (TAX)

<[Christopher.Magnani@tax.USDOJ.gov](mailto:Christopher.Magnani@tax.USDOJ.gov)>

**Cc:** Varnado, Jason S. <[jvarnado@jonesday.com](mailto:jvarnado@jonesday.com)>, Loonam,

James P. <[jloonam@jonesday.com](mailto:jloonam@jonesday.com)>, Smith, Corey (TAX)

<[Corey.Smith@tax.USDOJ.gov](mailto:Corey.Smith@tax.USDOJ.gov)>, Langston, Lee F. (TAX)

<[Lee.F.Langston@tax.USDOJ.gov](mailto:Lee.F.Langston@tax.USDOJ.gov)>, Ryan Darby

<[darby.ryan@gmail.com](mailto:darby.ryan@gmail.com)>

**Subject:** US v. Brockman

Chris,

I am assuming that this is for the standard hospital practice of sending confirmations and related communications, or to deal with issues that arise on the days of the examinations. As a practical matter, the person who is best situated to coordinate with the family to make sure that this keeps moving forward is me, so I suggest that you use my cell, [REDACTED]

As to the location, will the PET Scan also be done at Texas Medical Center in conjunction with the sleep study?

Best,  
Kathy

Kathryn Keneally

Partner

**JONES DAY® - One Firm Worldwide<sup>SM</sup>**

250 Vesey Street

New York, NY 10281-1047

Office: +1-212-326-3402

[REDACTED]  
[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)

---

**From:** Magnani, Christopher (TAX) <[Christopher.Magnani@usdoj.gov](mailto:Christopher.Magnani@usdoj.gov)>

**Sent:** Tuesday, March 9, 2021 2:18 PM

**To:** Keneally, Kathy <[kkeneally@jonesday.com](mailto:kkeneally@jonesday.com)>

**Cc:** Varnado, Jason S. <[jvarnado@jonesday.com](mailto:jvarnado@jonesday.com)>; Loonam, James P.

<[jloonam@jonesday.com](mailto:jloonam@jonesday.com)>; Smith, Corey (TAX)  
<[corey.smith@usdoj.gov](mailto:corey.smith@usdoj.gov)>; Langston, Lee F. (TAX)  
<[Lee.F.Langston@usdoj.gov](mailto:Lee.F.Langston@usdoj.gov)>; Ryan Darby <[darby.ryan@gmail.com](mailto:darby.ryan@gmail.com)>  
**Subject:** FW:

**\*\* External mail \*\***

Kathy,

Dr. Darby needs a phone number to make the PET scan and sleep study appointments. Can you please provide the number you would like him to use? I'm copying Dr. Darby here in case you'd prefer to respond to him directly.

Also, please note that the sleep study will be at Texas Medical Center instead of Houston Methodist.

Best,

Chris

---

**From:** Ryan Darby <[darby.ryan@gmail.com](mailto:darby.ryan@gmail.com)>  
**Sent:** Tuesday, March 9, 2021 1:40 PM  
**To:** Magnani, Christopher (TAX) <[Christopher.Magnani@tax.USDOJ.gov](mailto:Christopher.Magnani@tax.USDOJ.gov)>  
**Cc:** Garrett Evan W <[Evan.Garrett@ci.irs.gov](mailto:Evan.Garrett@ci.irs.gov)>  
**Subject:**

A) I need a phone number for Mr. Brockman in order to send in the referral for the PET and sleep study. This is required demographic information for them to enter a patient into their system and to contact the patient about procedure for the day of the test.

B) After the referral is made, we will be able to schedule the tests.

C.) Houston Methodist informed me that they should have availability for the PET scan 3/11 or 3/12. They do not have availability for the sleep study until the week of 3/22.

D) I contacted Texas medical center which would be able to accommodate the sleep study on March 17th or 18th.

Best,

Ryan Darby

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# **EXHIBIT 10**





## FAX TRANSMITTAL

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<b>To:</b>	<b>Michael Welner, MD</b>	<b>From:</b>	<b>Hm Interface, Radiology Results Incoming</b>
Fax:	212-535-3259	Fax:	
		Phone:	713-441-2282
		Dept:	HOUSTON METHODIST HOSPITAL OPC NUC MED

**NOTES:**

**Date and time of transmission: 8/24/2021 2:46:18 PM**

**Number of pages including this cover sheet: 2**

## PET BRAIN METABOLIC EVAL

### Brockman, Robert T

MRN: 003768603, Legal Sex: Male, 5/28/1941 (80 yrs), Outpatient

Accession #: IM33191029

## Final Result

PROCEDURE: PET BRAIN METABOLIC EVAL

CLINICAL HISTORY: G30.9 Alzheimer's disease  
unspecified, F02.80 Dementia in other diseases  
classified elsewhere without behavioral disturbance,  
alzheimers

#### COMPARISON:

Amyvid brain PET 7/28/2021.

#### TECHNIQUE:

The patient was injected with 10 mCi of 18F-FDG  
intravenously, followed 1 hour later by PET-CT  
scanning of the brain. CT scanning was nondiagnostic  
in quality and was used for attenuation correction  
and to aid in localization of any abnormal findings  
on

PET. Blood glucose = 117.

#### FINDINGS:

Mildly reduced uptake in the posterior temporal lobes  
and bilaterally in the parietal lobes. Slightly  
reduced uptake in the frontal lobes. Occipital uptake  
is reasonably good. There is preserved, prominent  
uptake in the primary sensorimotor cortex  
bilaterally, frequently a secondary sign of adjacent  
neurodegenerative disease. Normal metabolism in the  
basal ganglia, thalami, and cerebellum.

#### IMPRESSION:

Findings are mild, but very suggestive of  
neurodegenerative disease, particularly Alzheimer's  
disease. Although statistically less likely, dementia  
with Lewy bodies or Parkinson's disease with dementia  
can have a similar scan pattern. The markedly  
abnormal uptake on the prior Amyvid PET scan also  
somewhat favors Alzheimer's disease over DLB/PDD.

HMH-2UA70310KZ

Signed by Fisher, Ronald Evan, MD on 8/24/2021 2:43 PM

## Appointment Info

Exam Date

📅 8/24/2021

Department

HOUSTON METHODIST HOSPITAL OPC

NUC MED

📞 713-441-2282

📍 6445 Main Street

HOUSTON TX 77030-1502

## Reason for Exam

alzheimers

## Diagnosis

Alzheimer's dementia (HCC)

## Providers

PCP

James L. Pool, MD

📞 713-798-0180

📍 6620 Main St.

Houston TX 77030

Ordering Provider

Michael Welner, MD

📞 212-535-9286

📍 224 WEST 30TH STREET SUITE 806

NEW YORK NY 10001

Attending Provider

Michael Welner, MD

📞 212-535-9286

📍 224 WEST 30TH STREET SUITE 806

NEW YORK NY 10001